

IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Writ Petition No. 251 of 2006 (S/B)

N.P.S. Chauhan S/o Sri Devan Singh,
Presently posted as District Development Officer,
Tehri Garhwal. Petitioner

Versus

1. State of Uttaranchal,
through Secretary, Rural Development
and Panchayat Raj.
2. Commissioner,
Rural Development and Panchayati Raj Directorate,
Uttaranchal, Pauri.
3. Chief Development Officer,
Haridwar. Respondents

Mr. B.P. Nautiyal, Advocate for the petitioner.
Mr. B.D. Kandpal, Standing Counsel for the respondents.

JUDGMENT

**Coram: Hon'ble Rajeev Gupta, C.J.
Hon'ble J.C.S. Rawat, J.**

RAJEEV GUPTA, C.J. (Oral)

Mr. B.P. Nautiyal, Advocate for the petitioner.
Mr. B.D. Kandpal, Standing Counsel for the respondents.
They are hears on admission.

2. The petitioner has filed this writ petition for the following reliefs:

“i. Issue a writ or direction in the nature of certiorari quashing the impugned order dated 16.9.2005 (Annexure No. 9) passed by the respondent no. 1.

ii. Issue any other writ order or direction in the nature of mandamus which this Hon'ble Court may deem fit and proper in the circumstances of the case.

iii. Award the cost of the petition to the petitioner.”

3. Mr. B.D. Kandpal, the learned Standing Counsel for the respondents raised a preliminary objection about the maintainability of the writ petition on the ground that the petitioner has an alternative

efficacious remedy of approaching the Public Services Tribunal for the reliefs sought by the petitioner in this writ petition.

4. Mr. B.P. Nautiyal, the learned counsel for the petitioner could not demonstrate as to how the reliefs sought by the petitioner in the writ petition cannot be granted by Public Services Tribunal.

5. We are, therefore, of the opinion that it would be appropriate for the petitioner to approach Public Services Tribunal for the redressal of the grievances projected in the writ petition and the reliefs sought in the writ petition.

6. With the above observation, the writ petition stands disposed of.

7. With the above order, CLMA No. 10177 of 2006 also stands disposed of.

(J.C.S. Rawat, J.)
11.08.2006

(Rajeev Gupta, C.J.)
11.08.2006

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